

REMARKS

This application has been reviewed in light of the Final Office Action mailed on December 17, 2003. Claims 1-12 are pending in the application with Claims 1 and 9 being in independent form. By the present Amendment, Claim 1 has been amended and Claims 11 and 12 have been added.

In the Final Office Action, Claims 1-10 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,469,275 issued to Edgar on November 21, 1995 (“Edgar”).

Independent Claim 1 has been amended in a manner which is believed to better define Applicants’ invention and to overcome the rejection. In particular, Claim 1 recites “A method of reproducing a gray scale image in colors, comprising the step of assigning a color value (x, y) and a brightness (Y) to each shade of gray to provide a three-dimensional space having increasing shades of gray, wherein the assignment between shades of gray and brightness is monotonic, wherein the assigned color values are selected from the range (U) of a predetermined reference color (x_R, y_R), and wherein the assignment of color values enables the human eye to differentiate between successive shades of gray.” (Emphasis added)

Edgar does not disclose or suggest at least the limitations underlined above and recited by independent Claim 1. Edgar is directed to a method and apparatus for adjusting a two-dimensional gray scale spline, defined by a set of interconnected points. The method and apparatus provide for adjusting a location of a first point previously located on the gray scale spline, adjusting a location of at least one other point, previously located on the gray scale spline, based on the adjusted location of the first point,

generating a gray scale spline through the first point and the at least one other point, and producing an image using the generated gray scale spline. In Edgar, the computer code determines what point on the gray scale the user has selected and the direction and magnitude of movement the user has requested. Additional steps enable the computer code to determine whether any other points should also be moved relative to the movement of the user selected point prior to regenerating the gray scale spline. See column 8, lines 35-63.

Edgar does not disclose or suggest assigning a color value (x, y) and a brightness (Y) to each shade of gray to provide a three-dimensional space having increasing shades of gray, as recited by Applicants' Claim 1 and disclosed at page 9, lines 2-4 in conjunction with Figure 2. Edgar discloses a two-dimensional gray scale spline as shown by Figures 5 to 6F having different shades of gray along the spline. As discussed above, Edgar teaches that a first point along the spline can be adjusted for adjusting the location of at least one other point. The first point and the at least one other point are then used to generate a new two-dimensional gray scale spline through the first point and the at least one other point as shown by Figures 6A-6F. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(b) and allowance of Claim 1 are respectfully requested.

Claims 2-8 depend from Claim 1, and therefore include the limitations of Claim 1. Accordingly, for the same reasons given for Claim 1, Claims 2-8 are believed to contain patentable subject matter. Hence, withdrawal of the rejection under 35 U.S.C. §102(b) with respect to Claims 2-8 and allowance of Claims 2-8 are respectfully requested.

Independent Claim 9 incorporates the limitations of Claim 1 by reference. Accordingly, for the same reasons given for Claim 1, Claim 9 and its dependent claim are

believed to contain patentable subject matter. Hence, withdrawal of the rejection under 35 U.S.C. §102(b) with respect to Claims 9 and 10 and allowance of Claims 9 and 10 are respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-12, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call John Vodopia, Esq., Intellectual Property Counsel, Philips Electronics North America, at 914-333-9627.

Respectfully submitted,



George Likourezos
Reg. No. 40,067
Attorney for Applicants

Mailing Address:
Intellectual Property Counsel
Philips Electronics North America Corp.
P.O. Box 3001
345 Scarborough Road
Briarcliff Manor, New York 10510-8001